

AMENDED IN SENATE SEPTEMBER 2, 2011

AMENDED IN SENATE JULY 13, 2011

AMENDED IN ASSEMBLY MAY 5, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1235**

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**Introduced by Assembly Member Roger Hernández**

February 18, 2011

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An act to add Section 33459.7 to the Health and Safety Code, relating to redevelopment, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1235, as amended, Roger Hernández. Polanco Redevelopment Act: transfer of *authority*, powers, ~~obligations, and protections~~. *obligations*.

The Polanco Redevelopment Act specifies, among other things, that a redevelopment agency that undertakes and completes an action, or causes another person to undertake and complete an action, to remedy or remove a hazardous substance release on, under, or from property within a redevelopment project, in accordance with a cleanup or remedial action plan prepared by a qualified independent contractor and approved by the department or a California regional water quality control board or a local agency, is not liable, with respect to that release only, under the Porter-Cologne Water Quality Control Act, and specified hazardous waste control and storage provisions, or any other state or

local law providing liability for remedial or removal actions for releases of hazardous substances.

This bill would apply all *authority*, rights, powers, duties, *and* obligations, and protections afforded to a redevelopment agency under the Polanco Redevelopment Act to a successor agency, as defined, for any property that was within a redevelopment project of a redevelopment agency that has been dissolved by an act of the Legislature.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 33459.7 is added to the Health and Safety  
2 Code, to read:

3 33459.7. (a) If a redevelopment agency has been dissolved by  
4 an act of the Legislature and its successor agency maintains all the  
5 *authority*, rights, powers, duties, ~~obligations, and protections~~ *and*  
6 *obligations* that were vested by this part in the redevelopment  
7 agency prior to its dissolution, then all *authority*, rights, powers,  
8 duties, obligations, and protections that applied to a redevelopment  
9 agency pursuant to this article shall also apply to the successor  
10 agency for any property that was within a redevelopment project  
11 of the redevelopment agency prior to its dissolution.

12 (b) For purposes of this section, “successor agency” means the  
13 city, county, or city and county that authorized the creation of each  
14 redevelopment agency.

15 SEC. 2. This act is an urgency statute necessary for the  
16 immediate preservation of the public peace, health, or safety within  
17 the meaning of Article IV of the Constitution and shall go into  
18 immediate effect. The facts constituting the necessity are:

19 In order to conform to recently enacted legislation, it is necessary  
20 that this act take immediate effect.